Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 08-100
Final DTV Table of Allotments,)	RM-11437
Television Broadcast Stations.)	
(Columbus, Georgia))	

REPORT AND ORDER (Proceeding Terminated)

Adopted: December 17, 2008 Released: December 18, 2008

By the Chief, Video Division, Media Bureau:

- 1. The Commission has before it a Notice of Proposed Rulemaking¹ issued in response to a petition for rulemaking filed by WTVM License Subsidiary, LLC (WTVM) the licensee of WTVM(TV), channel 9, Columbus, Georgia, licensee of WTVM-DT, pre-transition digital channel 47 and permittee of post-transition digital channel 9, Columbus, Georgia. WTVM requested the substitution of channel 11 for post-transition digital channel 9 at Columbus, Georgia. WTVM filed comments in support of its petition for rulemaking. No other comments were received.
- 2. We believe the public interest would be served by substituting digital channel 11 for channel 9 at Columbus, Georgia. Although it holds a construction permit for its post-transition digital channel 9, WTVM states that operation on channel 9 does not allow it to provide service to all of its viewers who currently receive the station's analog service. WTVM states that the station's ability to increase its coverage area is constrained by the presence of a full-power digital station which would receive interference from a fully-maximized WTVM operation on digital channel 9. We calculate that the proposed facility would serve substantially more people than their analog and pre-transition digital facilities.
- 3. DTV channel 11 can be substituted for DTV channel 9 at Columbus, Georgia, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, 4 at coordinates 32-19-25 N. and 84-46-46 W. In addition, the channel change meets

Columbus, Georgia, DA 08-1503 (released September 20, 2008).

² Petition for Rulemaking at 1.

³ *Id.* at 1-2.

⁴ 47 C.F.R. § 73.625(a).

the technical requirements set forth in Sections 73.616, 73.622(f)(5), and 73.623 of the Commission's rules⁵ with the following specifications:

State and City	DTV Channel	DTV Power	Antenna HAAT	DTV Service Pop.
		(kw)	(meters)	(thous.)
Columbus, GA	11	50	507	1377

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective 30 days after the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

City and State	<u>Channel No.</u>		
Columbus, Georgia	11, 15, *23, 35, 49		

- IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, WTVM License Subsidiary, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 11 in lieu of DTV channel 9.
- 6. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).
 - 7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.
- For further information concerning the proceeding listed above, contact Shaun A. Maher, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman Chief. Video Division Media Bureau

⁵ 47 C.F.R. §§ 73.616, 73.622(f)(5) & 73.623. Although the proposed channel substitution was predicted to cause interference to the pending modification application of WSFA-DT, Montgomery, Alabama, on July 11, 2008, WTVM submitted an interference agreement that resolved this matter.